

THE HONORABLE JOHN H. CHUN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
IN SEATTLE

RED DOT CORPORATION, a Washington
Corporation,

Plaintiff,

v.

TRAVELERS CASUALTY AND
SURETY COMPANY f/k/a THE AETNA
CASUALTY AND SURETY COMPANY,
a foreign insurance company; and THE
STANDARD FIRE INSURANCE
COMPANY, a foreign insurance company,

Defendants.

No. 2:19-cv-01802-JHC

STIPULATION AND JOINT
MOTION TO EXTEND STAY

**NOTE ON MOTION CALENDAR:
JUNE 17, 2022**

I. STIPULATION AND JOINT MOTION TO EXTEND STAY

Plaintiff Red Dot Corporation (“Red Dot”) and Defendants Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company and The Standard Fire Insurance Company (collectively “Travelers”), by and through their respective counsel, file this Stipulation and Joint Motion to Extend the Stay in this case for one year. *See Dkt. 46.*

1 This lawsuit involves a coverage dispute arising out of a lawsuit filed by Highland Park
2 Properties (“HPP”) against Red Dot for investigation and remediation of alleged
3 environmental property damage at the Red Dot Manufacturing Facility in Tukwila,
4 Washington (“the Site”) (the “Underlying Action”). *See Dkt. 37*. Travelers agreed to defend
5 Red Dot in the Underlying Action, and has been funding the defense and paying certain
6 investigation costs related to the alleged property damage, under a complete reservation of
7 rights. Travelers and Red Dot were unable to reach an agreement as to insurance coverage for
8 remediation of the alleged property damage, primarily due to the lack of complete information
9 regarding the nature and scope of the alleged contamination at issue.

10 Pursuant to an agreement between HPP and Red Dot, the Underlying Action has been
11 stayed, with a plan to complete the investigation and remediation of the Site without the need
12 for further litigation. Although the parties have made progress under that plan, the entity
13 conducting the joint investigation has proposed—and Travelers has approved—a third phase
14 to the investigation, which is scheduled to take until March 2023. Within a few months of the
15 conclusion of Phase 3, Red Dot and Travelers (“the Parties”) expect to have the information
16 necessary to reach a full resolution and settlement with respect to Red Dot’s claim for coverage
17 at the Site without the need for further litigation in this Coverage Action. The Parties therefore
18 request that the Court extend the current stay in this case one year—until June 16, 2023. In
19 the unlikely event that the Parties are unable to reach a complete settlement, they will submit,
20 on or before June 16, 2023, a Joint Status Report with a proposed schedule to complete
21 discovery and try the case.

1 DATED this 17th day of June 2022.

2 HARPER | HAYES PLLC

GORDON & POLSCER, L.L.C.

3
4 By: s/ Charles K. Davis

5 Gregory L. Harper, WSBA No. 27311

6 Charles K. Davis, WSBA No. 38231

7 600 University Street, Suite 2420

8 Seattle, WA 98101

(206) 340-8010

9 greg@harperhayes.com

10 cdavis@harperhayes.com

11 Attorneys for Plaintiff

By: s/ T. Arlen Rumsey

T. Arlen Rumsey, WSBA No. 19048

1700 Seventh Avenue, Suite 2100

Seattle, WA 98101

(206) 223-4226

arumsey@gordon-polscer.com

Attorneys for Defendants

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STIPULATION AND JOINT MOTION TO EXTEND STAY - 3

CASE NO. 2:19-cv-01802-JHC

HARPER | HAYES PLLC
One Union Square
600 University Street, Suite 2420
Seattle, Washington 98101
Telephone: 206-340-8010

Based on the above Stipulation, it is ordered that the case is stayed for an additional one year. The parties will submit a Joint Status Report no later than June 16, 2023.


JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

HARPER | HAYES PLLC

Gregory L. Harper, WSBA No. 27311
Charles K. Davis, WSBA NO. 38231
Attorneys for Plaintiff

T. Arlen Rumsey, WSBA No. 19048
Attorneys for Defendants